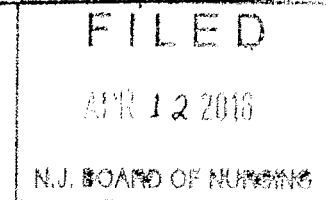
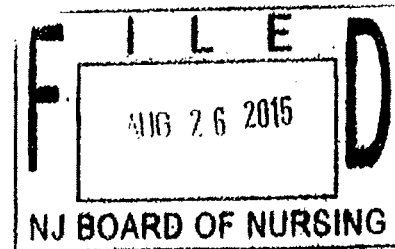


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

Darnell Coward, C.H.H.A.

Certificate No. 26NH13861900

HOMEMAKER HOME HEALTH AIDE
IN THE STATE OF NEW JERSEY

ADMINISTRATIVE ACTION

AMENDED PROVISIONAL
ORDER OF DISCIPLINE

☒ FINAL ORDER OF DISCIPLINE
(Finalized by default
on April 12, 2016 / 04/12/2016)

FINAL

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information that Respondent was arrested on July 10, 2014 by the Camden County Police for violation of N.J.S.A. 2C:35-5B (1), Distribute Heroin/Cocaine, violation of N.J.S.A. 2C:35-7, Controlled Dangerous Substance on School Property, and violation of N.J.S.A. 2C:35-10A, Possession of Controlled Dangerous Substance or Analog. The Board sent a letter of inquiry, requesting certain information and submission

of documents, to Respondent's address of record. Respondent did not respond to the Board's request for information and on August 14, 2015 the Board filed a provisional order of discipline ("POD") for failure to cooperate with the Board's inquiry, provisionally suspending Respondent's certification and imposing a \$200 penalty.

After the POD was filed, the Board received information that Respondent had been arrested again on May 9, 2015 by Camden County Police Department for N.J.S.A. 2C:12-3A, Threaten To Commit Crime, N.J.S.A. 2C:39-5B(1) Unlawful Possession Of Handgun Without Permit, N.J.S.A. 2C:12-1B(4) Aggravated Assault - Pointing A Firearm and N.J.S.A. 2C:12-3A Threaten To Commit Crime. (Exhibit A). On or about May 22, 2015, the Board sent a letter of inquiry regarding this arrest, requesting certain information and submission of documents, to Respondent's address of record in Camden, New Jersey, via regular and certified mail. A response was due within twenty (20) days. The certified mailing was delivered and signed for and the regular mailing was not returned. (Exhibit B).

3. To date, Respondent has not responded to the Board's request for information.

CONCLUSIONS OF LAW

Respondent's failure to respond to the Board's requests for information constitutes a failure to cooperate with a Board investigation, in contravention of N.J.A.C. 13:45C-1.2 and 1.3, which the Board deems professional misconduct pursuant to N.J.S.A. 45:1-21(e), subjecting Respondent to disciplinary action pursuant to N.J.S.A. 45:1-21(h).

ACCORDINGLY, IT IS on this 10th day of August, 2015,
ORDERED that:

The Provisional Order of Discipline filed on August 14, 2015 is hereby amended to provide that:

1. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent's certificate to practice as a homemaker-home health aide will be suspended until such time as Respondent cooperates fully with the Board's investigation by providing the Board with the information requested in both of the Board's letters of inquiry and establishes, to the Board's satisfaction that he is fit and competent to practice as a certified homemaker-home health aide. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent shall refrain from engaging in the practice as a homemaker-home health aide and shall not represent himself as a homemaker-home health aide until such time as his certification is reinstated. Any practice in this State prior to such

reinstatement shall constitute grounds for a charge of unlicensed practice.

2. Upon the filing of a FINAL ORDER OF DISCIPLINE, Respondent shall, within 5 (five) days, mail his certificate, wall and wallet version, to practice as a homemaker-home health aide to Twalema Khonje State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101.

3. Upon the filing of a FINAL ORDER OF DISCIPLINE Respondent is assessed a civil penalty in the amount of two hundred dollars (\$400). Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to Twalema Khonje, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of a FINAL ORDER OF DISCIPLINE. In the event Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

4. The within order shall be subject to finalization by the Board at 5:00 p.m. on the 30th day following entry hereof

unless Respondent requests a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by:

- a) Submitting a written request for modification or dismissal to Twalema Khonje, State Board of Nursing, 124 Halsey Street, Sixth Floor, P.O. Box 45010, Newark, New Jersey 07101,
- b) Setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed.
- c) Submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor or offered in mitigation of penalty.

5. Any submissions will be reviewed by the Board and the Board will thereafter determine whether further proceedings are necessary. If no material discrepancies are raised through a supplemental submission during the thirty-day period, or if the Board is not persuaded that the submitted materials merit further consideration, a FINAL ORDER OF DISCIPLINE will be entered.

6. In the event that Respondent's submissions establish a need for further proceedings, including, but not limited to an evidentiary hearing, Respondent shall be notified with regard thereto. In the event that an evidentiary hearing is ordered, the preliminary findings of fact and conclusions of law contained herein may serve as notice of the factual and legal allegations in such proceeding. Further, in the event a hearing

is held and upon review of the record, the Board shall not be limited to the findings, conclusions and sanctions stated herein.

7. In the event that the Board receives no written request for modification or dismissal within 30 days following entry of this Provisional Order, without further Board review, all referenced preliminary Findings of Fact and Conclusions of Law and all provisional sanctions or penalties imposed by this Order shall automatically become the Final Decision and Order of the Board. Thereafter, Respondent's failure to comply with any sanction or penalty imposed by this Order shall be considered a violation of a Board Order in contravention of N.J.S.A. 45:1-21 (e) and (h) and N.J.A.C. 13:45C-1.4 and may subject Respondent to additional sanction and/or penalty.

8. The Board reserves the right to initiate disciplinary proceedings based upon any information that Respondent ultimately provides in response to the letters of inquiry or upon any new information the Board receives.

NEW JERSEY STATE BOARD OF NURSING

By:


Patricia Murphy, PhD, APRN
President